

Towns County Herald

Legal Notices for July 5, 2017

**STATE OF GEORGIA
COUNTY OF TOWNS
NOTICE TO DEBTORS AND CREDITORS**
RE: ESTATE OF RICHARD JOHN DIDIO
All debtors and creditors of the estate of Richard John Didio, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the Executor of said Estate, according to law, and all persons indebted to said estate are required to make immediate payment to the Executor.
This 7th day of June, 2017.
Dorothy Jan Burkhardt
Address: 3865 Wildwood Lane
Young Harris, GA 30582
T(Jun14,21,28,Jul5)B

NOTICE TO CREDITORS AND DEBTORS
All creditors of the estate of LOIS BRIDGES HUGHES, deceased of Towns County, Hiawassee, Georgia are hereby notified to render in their demands to the undersigned according to law; and all persons indebted to said estate are required to make immediate payment to the undersigned Administrator of the Estate of LOIS BRIDGES HUGHES.
This 8th day of June, 2017.
CECIL J. HUGHES
6083 Robinson Road
Young Harris, Georgia 30582
T(Jun14,21,28,Jul5)B

NOTICE TO CREDITORS AND DEBTORS
All creditors of the estate of OLIN HORACE HUGHES, deceased of Towns County, Hiawassee, Georgia are hereby notified to render in their demands to the undersigned according to law; and all persons indebted to said estate are required to make immediate payment to the undersigned Administrator of the Estate of OLIN HORACE HUGHES.
This 8th day of June, 2017.
CECIL J. HUGHES
6083 Robinson Road
Young Harris, Georgia 30582
T(Jun14,21,28,Jul5)B

NOTICE TO CREDITORS AND DEBTORS
All creditors of the estate of EDWARD JOSEPH UNGER, a.k.a. EDWARD JOSEPH UNGER, JR., deceased of Towns County, Hiawassee, Georgia are hereby notified to render in their demands to the undersigned according to law; and all persons indebted to said estate are required to make immediate payment to the undersigned Executor, SUE K. UNGER.
This 8th day of June, 2017.
SUE K. UNGER, Executor
P.O. Box 818
Young Harris, Georgia 30582
T(Jun14,21,28,Jul5)B

**STATE OF GEORGIA
COUNTY OF TOWNS
NOTICE TO CREDITORS**
RE: Estate of Joan Anne Guth Hughes Ayer
All creditors of the Estate of Joan Anne Guth Hughes Ayer, deceased late of Towns County, are hereby notified to render their demands to the undersigned according to law, and all persons indebted to said estate are required to make immediate payment to me.
This the 2nd day of June, 2017.
By: David Hughes, Executor
1194 Sunnyside Road
Hiawassee, GA 30546
T(Jun14,21,28,Jul5)B

**STATE OF GEORGIA
COUNTY OF TOWNS
NOTICE TO CREDITORS**
RE: Estate of William Arthur Ayer
All creditors of the Estate of William Arthur Ayer, deceased late of Towns County, are hereby notified to render their demands to the undersigned according to law, and all persons indebted to said estate are required to make immediate payment to me.
This the 2nd day of June, 2017.
By: David Hughes, Executor
1194 Sunnyside Road
Hiawassee, GA 30546
T(Jun14,21,28,Jul5)B

NOTICE TO CREDITORS AND DEBTORS
All creditors of the estate of LOIS PARKER, deceased of Towns County, Hiawassee, Georgia are hereby notified to render in their demands to the undersigned according to law; and all persons indebted to said estate are required to make immediate payment to the undersigned Administrators of the Estate of Lois Parker.
This 2nd day of June, 2017.
Trannis J. Parker
P.O. Box 435
Tate, Georgia 30177
Brenda Rich
7369 Parker Rich Rd.
Young Harris, Georgia 30582
T(Jun14,21,28,Jul5)B

NOTICE TO DEBTORS AND CREDITORS
All creditors of the estate of ANNE BARRETT ATKINSON, late of Towns County, deceased, are hereby notified to render in their demands to the undersigned according to law, and all persons indebted to said estate are required to make immediate payment.
June 23, 2017
George B. Atkinson, Executor
Estate of Anne Barrett Atkinson
Timothy M. Halligan, Attorney at Law
1000 Parkwood Circle, Suite 900
Atlanta, GA 30339
(678) 784-4055
T(Jul5,12,19,26)P

NOTICE TO CREDITORS AND DEBTORS
**STATE OF GEORGIA
COUNTY OF TOWNS**
RE: Estate of Mary D. Fair
All creditors of the estate of Mary D. Fair, deceased of Towns County, Hiawassee, Georgia are hereby notified to render in their demands to the undersigned according to law; and all persons indebted to said estate are required to make immediate payment to the undersigned.
This 1st day of June, 2017.
Russell M. Stookey, Attorney at Law
Personal Representative
PO Box 310
Hiawassee, GA 30546
706-897-2241
T(Jun14,21,28,Jul5)B

NOTICE TO DEBTORS AND CREDITORS
**STATE OF GEORGIA
COUNTY OF TOWNS**
RE: ESTATE OF WAYNE GIBSON
All creditors of the estate of Wayne Gibson deceased, late of Towns County, Georgia, are hereby notified to render their demands to the undersigned according to law, and all persons indebted to said Estate are required to make immediate payment to the undersigned.
This 23rd day of June, 2017.
EXECUTOR: Joanna Carole Shirley
ADDRESS: c/o Eddy A. Corn, Attorney
253 Big Sky Drive
Hiawassee, GA 30546
PHONE: (706) 896-3451
T(Jul5,12,19,26)B

**STATE OF GEORGIA
COUNTY OF TOWNS
NOTICE TO CREDITORS**
RE: Estate of Ann T. Heer
All creditors of the Estate of Ann T. Heer, deceased, late of Towns County, are hereby notified to render their demands to the undersigned according to law, and all persons indebted to said estate are required to make immediate payment to me.
This the 26th day of June, 2017.
By: Eric James Mitiska
1274 Langston Drive
Columbus, Ohio 43220
T(Jul5,12,19,26)B

NOTICE OF LOCATION AND DESIGN APPROVAL
Project Number APD00-0056-02(029)
P. I. 122900
Notice is hereby given in compliance with Georgia Code 22-2-109 and 32-3-5 that the Georgia Department of Transportation has approved the Location and Design of this project.
The date of location and design approval is: June 13, 2017

This project is located entirely within Land District 17. The project is located in Land Lots 98, 99, 118, 119, 135, 154, 171, 172, 184, 185, 186, 187, 188, 189, 210, 211, 212, 213, 214, 215, 216, 217, 234, 235, 268, 269 and 270.
This project proposes to widen SR 515/US 76 from a 3-lane highway to a 4-lane (2 lanes in each direction) highway between Blairsville and Young Harris. A 2-lane (1 lane in each direction) bypass is proposed around the west side of Young Harris, beginning at the intersection with SR 515 and Brasstown Creek Rd, crossing over SR 66 near the wastewater treatment plan, and ending at the intersection with SR 515 and Timberline Drive. The existing portion of SR 515 through downtown Young Harris will not be widened as part of this project.
Drawings or maps or plats of the proposed project, as approved, are on file and are available for public inspection at the Georgia Department of Transportation:
Matt Needham, District 1, Area 4 Engineer
mneedham@dot.ga.gov
942 Albert Reid Rd
Cleveland, GA 30528
(706) 348-4848

Any interested party may obtain a copy of the drawings or maps or plats or portions thereof by paying a nominal fee and requesting in writing to:
Albert V. Shelby III, State Program Delivery Administrator
Office of Program Delivery
Attn: Achor Njoku
Project Manager
INjoku@dot.ga.gov
600 West Peachtree St, 25th Floor
Atlanta, GA 30308
(404) 631-1550
Any written request or communication in reference to this project or notice SHOULD include the Project and P. I. Numbers as noted at the top of this notice.
T(Jun21,28,Jul5,12)B

NOTICE OF SALE UNDER POWER
GEORGIA, TOWNS COUNTY
Under and by virtue of the Power of Sale contained in a Deed to Secure Debt given by W.C. Garrett and Elva Elizabeth Garrett to Mortgage Electronic Registration Systems, Inc. (MERS) as nominee for Urban Financial Group, dated May 13, 2009, and recorded in Deed Book 456, Page 45, Towns County, Georgia records, as last transferred to Reverse Mortgage Solutions, Inc. by Assignment recorded in Deed Book 586, Page 466, Towns County, Georgia Records, conveying the after-described property to secure a Note of even date in the original principal amount of \$300,000.00, with interest at the rate specified therein, there will be sold by the undersigned at public outcry to the highest bidder for cash before the Courthouse door of Towns County, Georgia, within the legal hours of sale on the first Tuesday in August, 2017, to wit: August 1, 2017, the following described property:
All that tract or parcel of land lying and being in the 18th District, 1st Section, Land Lot 315, Towns County, Georgia, containing 2.0 acres, more or less, as shown on a plat of survey by G. Gregory, dated August 16, 1966, recorded in Plat Book 13, Page 49, Towns County Records and more particularly described as follows: beginning at the intersection of Land Lots 292, 293, 314 and 315, running thence South 82 degrees 45 minutes East 1375 feet, more or less, to the true point of beginning, run thence North 87 degrees 30 minutes West 548.0 feet; thence North 3 degrees 00 minutes East 171.0 feet; thence North 2 degrees 15 minutes East 39.0 feet; thence South 85 degrees 00 minutes East 563.0 feet to a point; thence South 1 degree 15 minutes West 195.0 feet to the true point of beginning.

The debt secured by said Deed to Secure Debt has been and is hereby declared due because of, among other possible events of default, failure to pay the indebtedness as and when due and in the manner provided in the Note and Deed to Secure Debt. The debt remaining in default, this sale will be made for the purpose of paying the same and all expenses of this sale, as provided in the Deed to Secure Debt and by law, including attorney's fees (notice of intent to collect attorney's fees having been given).
Said property is commonly known as 6064 Pat Road, Hiawassee, GA 30546, together with all fixtures and personal property attached to and constituting a part of said property. To the best knowledge and belief of the undersigned, the party (or parties) in possession of the subject property is (are): W.C. Garrett and Elva Elizabeth Garrett or tenant or tenants.

Said property will be sold subject to (a) any outstanding ad valorem taxes (including taxes which are a lien, but not yet due and payable), (b) any matters which might be disclosed by an accurate survey and inspection of the property, and (c) all matters of record superior to the Deed to Secure Debt first set out above, including, but not limited to, assessments, liens, encumbrances, zoning ordinances, easements, restrictions, covenants, etc.
The sale will be conducted subject to (1) confirmation that the sale is not prohibited under the U.S. Bankruptcy Code; (2) O.C.G.A. Section 9-13-172.1; and (3) final confirmation and audit of the status of the loan with the holder of the security deed.
Pursuant to O.C.G.A. Section 9-13-172.1, which allows for certain procedures regarding the rescission of judicial and nonjudicial sales in the State of Georgia, the Deed Under Power and other foreclosure documents may not be provided until final confirmation and audit of the status of the loan as provided in the preceding paragraph.
Pursuant to O.C.G.A. Section 44-14-162.2, the entity that has full authority to negotiate, amend and modify all terms of the mortgage with the debtor is:
Reverse Mortgage Solutions, Inc.
Attention: Loss Mitigation Department
14405 Walters Road, Suite 200
Houston, TX 77014
1-866-503-5559

The foregoing notwithstanding, nothing in OC.G.A. Section 44-14-162.2 shall be construed to require the secured creditor to negotiate, amend or modify the terms of the Deed to Secure Debt described herein.
This sale is conducted on behalf of the secured creditor under the power of sale granted in the aforementioned security instrument, specifically being
Reverse Mortgage Solutions, Inc.
as attorney in fact for
W.C. Garrett and Elva Elizabeth Garrett
Martin & Brunav
5775 Glenridge Drive
Building D, Suite 100
Atlanta, GA 30328
404.982.0088
THIS LAW FIRM IS ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.
MBFC16-263
T(Jul5,12,19,26)B

NOTICE OF SALE UNDER POWER
**STATE OF GEORGIA
COUNTY OF TOWNS**
Because of a default under the terms of the Security Deed executed by Deborah L. McCracken to Bank of America N.A dated September 23, 2008, and recorded in Deed Book 442, Page 735, Towns County Records, said Security Deed having been last sold, assigned, transferred and conveyed to Nationstar Mortgage LLC, securing a Note in the original principal amount of \$67,674.00, the holder thereof pursuant to said Deed and Note thereby secured has declared the entire amount of said indebtedness due and payable and, pursuant to the power of sale contained in said Deed, will on the first Tuesday, August 1, 2017, during the legal hours of sale, before the Courthouse door in said County, sell at public outcry to the highest bidder for cash, the property described in said Deed, to-wit:
All that tract or parcel of land lying and being in Land Lot 50, 17th District, 1st District, 1st Section, Towns County, Georgia, containing 0.38 acres, as shown on a plat of survey by Tamrock Engineering, Inc., dated June 14, 1991, recorded in Plat Book 18, Page 14, Towns County records which description on said plat is incorporated herein by reference. The property is conveyed subject to the road right of way as shown on said plat. Pursuant to O.C.G.A. § 44-2-28, reference is hereby made to said recorded plat for the purpose of incorporating same herein for a more complete metes and bounds description of the property herein conveyed. Said Property is conveyed subject to all easements, restrictions, and right of ways as set forth on said recorded plat or as appearing of record.

THIS BEING THE SAME PROPERTY CONVEYED
UNTO Ruby W. Kirkland and Shirley A. Waldron by Warranty Deed from Richard N. Jernigan and Lorraine C. Jernigan dated June 14, 1993, recorded June 14, 1993 in the office of the Clerk of Superior Court, Towns County, Georgia. GA8-7932
Said property is known as 1348 Mining Gap Road, Young Harris, GA 30582, together with all fixtures and personal property attached to and constituting a part of said property, if any. Said property will be sold subject to any outstanding ad valorem taxes (including taxes which are a lien, whether or not now due and payable), the right of redemption of any taxing authority, any matters which might be disclosed by an accurate survey and inspection of the property, any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above.
The proceeds of said sale will be applied to the payment of said indebtedness and all expenses of said sale as provided in said Deed, and the balance, if any, will be distributed as provided by law.
The sale will be conducted subject (1) to confirmation that the sale is not prohibited under the U.S. Bankruptcy Code and (2) to final confirmation and audit of the status of the loan with the secured creditor.
The property is or may be in the possession of Deborah L. McCracken, successor in interest or tenant(s).
Nationstar Mortgage LLC as Attorney-in-Fact for Deborah L. McCracken
File no. 15-055283
SHAPIRO PENDERGAST & HASTY, LLP*
Attorneys and Counselors at Law
211 Perimeter Center Parkway, N.E., Suite 300
Atlanta, GA 30346
770-220-2535/SJ
shapiroandhasty.com
*THE LAW FIRM IS ACTING AS A DEBT COLLECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.
[FC-NOS]
T(Jul5,12,19,26)B

**NOTICE OF SALE UNDER POWER,
TOWNS COUNTY**
Pursuant to the Power of Sale contained in a Security Deed given by Glen G. Dunning aka Glen Gerald Dunning and E J Dunning aka E. Joy Dunning to GREEN TREE FINANCIAL SERVICING CORPORATION dated 10/5/1999 and recorded in Deed Book 193 Page 585 Towns County, Georgia records; as last transferred to or acquired by U.S. Bank, N.A. as trustee for Manufactured Housing Contract Senior/Subordinate Pass-Through Certificate Trust 2000-1, conveying the after-described property to secure a Note in the original principal amount of \$ 78,195.65, with interest at the rate specified therein, there will be sold by the undersigned at public outcry to the highest bidder for cash before the Courthouse door of Towns County, Georgia (or such other area as designated by Order of the Superior Court of said county), within the legal hours of sale on August 01, 2017 (being the first Tuesday of said month unless said date falls on a Federal Holiday, in which case being the first Wednesday of said month), the following described property:
ALL THAT TRACT OR PARCEL OF LAND, SITUATE, LYING AND BEING IN SECTION 1, DISTRICT 18, LAND LOT 115, TOWNS COUNTY, GEORGIA, AND BEING DESIGNATED AS LOT NINETEEN (19) OF POPLAR RIDGE SUBDIVISION, CONTAINING 0.52 ACRES, AS SHOWN ON A PLAT OF SURVEY DATED MAY 27, 1986, BY B. GREGORY, REGISTERED SURVEYOR, AS RECORDED IN PLAT BOOK 8, PAGE 235 IN THE OFFICE OF THE CLERK, SUPERIOR COURT, TOWNS COUNTY, GEORGIA, SAID PLAT BEING INCORPORATED BY REFERENCE HEREIN. THE PROPERTY IS CONVEYED SUBJECT TO THE RESTRICTIONS OF RECORD AS RECORDED IN DEED BOOK 94, PAGES 223-224, TOWNS COUNTY RECORDS.
TOGETHER WITH THAT CERTAIN HOUSING UNIT WHICH WAS FORMERLY PERSONALTY BUT IS NOW PERMANENTLY ANNEXED AND AFFIXED TO THE ABOVE DESCRIBED LAND AS A PERMANENT IMPROVEMENT AND WHICH IS SUBJECT OF GEORGIA MOTOR VEHICLE CERTIFICATE OF TITLE NO. 11142, AND ALL RIGHTS THEREUNTO APPERTAINING.

The debt secured by said Security Deed has been and is hereby declared due because of, among other possible events of default, failure to pay the indebtedness as and when due and in the manner provided in the Note and Security Deed. The debt remaining in default, this sale will be made for the purpose of paying the same and all expenses of this sale, as provided in the Security Deed and by law, including attorney's fees (notice of intent to collect attorney's fees having been given).
Said property is commonly known as 1128 Poplar Ridge Rd, Hiawassee, GA 30546 together with all fixtures and personal property attached to and constituting a part of said property, if any. To the best knowledge and belief of the undersigned, the party (or parties) in possession of the subject property is (are): Glen Gerald Dunning and E. Joy Dunning or tenant or tenants.
Ditech Financial LLC is the entity or individual designated who shall have full authority to negotiate, amend and modify all terms of the mortgage.
Ditech Financial LLC
Loss Mitigation
7360 S. Kyrene Road
Tempe, AZ 85283
1-800-643-0202
Note, however, that such entity or individual is not required by law to negotiate, amend or modify the terms of the loan.
Said property will be sold subject to: (a) any outstanding ad valorem taxes (including taxes which are a lien, but not yet due and payable), (b) unpaid water or sewage bills that constitute a lien against the property whether due and payable or not yet due and payable and which may not be of record, (c) the right of redemption of any taxing authority, (d) any matters which might be disclosed by an accurate survey and inspection of the property, and (e) any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above.

The sale will be conducted subject to (1) confirmation that the sale is not prohibited under the U.S. Bankruptcy Code; and (2) final confirmation and audit of the status of the loan with the holder of the Security Deed. Pursuant to O.C.G.A. Section 9-13-172.1, which allows for certain procedures regarding the rescission of judicial and non-judicial sales in the State of Georgia, the Deed Under Power and other foreclosure documents may not be provided until final confirmation and audit of the status of the loan as provided immediately above.
U.S. Bank, N.A. as trustee for Manufactured Housing Contract Senior/Subordinate Pass-Through Certificate Trust 2000-1 as agent and Attorney in Fact for Glen G. Dunning aka Glen Gerald Dunning and E J Dunning aka E. Joy Dunning
Aldridge Pite, LLP, 15 Piedmont Center, 3575 Piedmont Road, N.E., Suite 500, Atlanta, Georgia 30305, (404) 994-7637.
1317-2570A
THIS LAW FIRM MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. 1317-2570A
T(Jul5,12,19,26)B

NOTICE OF SALE UNDER POWER
GEORGIA, TOWNS COUNTY
THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Under and by virtue of the Power of Sale contained in a Security Deed given by Herbert W Allen to Local Government Federal Credit Union, dated November 3, 2014, recorded in Deed Book 557, Page 332, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of ONE HUNDRED TWENTY-SEVEN THOUSAND AND 0/100 DOLLARS (\$127,000.00), with interest thereon as set forth therein, there will be sold at public outcry to the highest bidder for cash before the courthouse door of Towns County, Georgia, or at such place as may be lawfully designated as an alternative, within the legal hours of sale on the first Tuesday in August, 2017, the following described property: SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF The debt secured by said Security Deed has been and is hereby declared due because of, among other possible events of default, failure to pay the indebtedness as and when due and in the manner provided in the Note and Security Deed. The debt remaining in default, this sale will be made for the purpose of paying the same and all expenses of this sale, as provided in Security Deed and by law, including attorney's fees (notice of intent to collect attorney's fees having been given). Said property will be sold subject to any outstanding ad valorem taxes (including taxes which are a lien, but not yet due and payable), any matters which might be disclosed by an accurate survey and inspection of the property, any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above. Local Government Federal Credit Union is the holder of the Security Deed to the property in accordance with OCGA § 44-14-162.2. The entity that has full authority to negotiate, amend, and modify all terms of the mortgage with the debtor is: State Employees Credit Union, 3101 Wake Forest Road, Raleigh, NC 27609 919-839-5018. To the best knowledge and belief of the undersigned, the party in possession of the property is Herbert W Allen and Estate of Herbert William Allen or a tenant or tenants and said property is more commonly known as 1397 Abe Cove Ct, Hiawassee, Georgia 30546. The sale will be conducted subject (1) to confirmation that the sale is not prohibited under the U.S. Bankruptcy Code and (2) to final confirmation and audit of the status of the loan with the holder of the security deed. Local Government Federal Credit Union as Attorney in Fact for Herbert W Allen McCalla Raymer Leibert Pierce, LLC 1544 Old Alabama Road Roswell, Georgia 30076 www.foreclosure-hotline.net EXHIBIT "A" All that tract or parcel of land lying and being in Land Lot 161 & 162, 18th District, 1st Section of Towns County, Georgia, containing 2.00 acres, more or less as shown on a plat of survey by B. Gregory filed and recorded in Plat Book 3, Page 80 and more particularly bounded as follows: BEGINNING on Willis Foster line and corner and running N 21 30 E275 feet to an iron peg; thence S 56 15 E 220 feet to an iron peg; thence S 21 30 W 65 feet to an iron peg; thence S 33 30 E 236 feet to an iron peg; thence S 20 W 64 feet to an iron peg; thence N 79 30 W 100 feet along Old Road to an iron peg; thence N 58 30 W 320 feet to the point of beginning. Containing two (2) acres, more or less. The property is conveyed subject to all matters and conditions as shown on above reference plat of survey. MR/Ved 8/1/17
Our file no. 5211017 - FT17
T(Jul5,12,19,26)B